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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

08 APR 28 AM 9:46

FILED

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 1300

DEPUTY

UNITED STATES OF AMERICA,)
 Plaintiff,)
 v.)
 Guillermo RODRIGUEZ-Salazar)
 Defendant.)

Magistrate Case No. CP

COMPLAINT FOR VIOLATION OFTitle 8, U.S.C., Section
1324(a)(2)(B)(iii)-
Bringing in Illegal Aliens
Without Presentation

The undersigned complainant being duly sworn states:

On or about **April 25, 2008**, within the Southern District of California, defendant **Guillermo RODRIGUEZ-Salazar**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, **Martha AZUCENA Rodriguez**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


 SIGNATURE OF COMPLAINANT
 Sara Esparagoza, United States Customs
 and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 28th DAY OF April, 2008.


 UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

I, United States Customs and Border Protection (CBP) Enforcement Officer Fernando Cerdá, declare under penalty of perjury the following to be true and correct:

The complainant states that **Martha AZUCENA-Rodriguez** is a citizen of a country other than the United States; that said alien has admitted she is deportable; that her testimony is material; that it is impracticable to secure her attendance at trial by subpoena; and that she is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

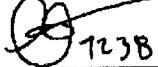
On April 25, 2008 at approximately 9:19 AM, **Guillermo RODRIGUEZ-Salazar (Defendant)** made application for admission into the United States at the Tecate Port of Entry. Defendant was the driver and sole visible occupant of a white 1992 GMC Sierra. Upon inspection before a CBP (Customs and Border Protection) Officer, Defendant presented his state of California Driver License and declared he was a United States citizen. Defendant gave a negative Customs declaration and claimed that he was returning home to Maywood, California. The Officer elected to refer the vehicle to secondary for a more thorough inspection.

In secondary, a CBP Officer utilizing his service Canine inspected the vehicle. The Canine alerted to the truck's bed under the tool box. CBP Officers searched the vehicle and discovered a female concealed under the tool box. The female was lying on her back with her upper torso toward the driver side of the vehicle. Her legs extended across the truck bed towards the passenger side of the vehicle. The female was removed from the compartment; furthermore, she was determined to be an undocumented citizen of Mexico and is now identified as **Martha AZUCENA-Rodriguez (Material Witness)**.

During a videotaped interview Defendant was advised of his Miranda rights. Defendant acknowledged his rights and elected to answer questions without an attorney present. Defendant admitted he concealed the undocumented alien inside his vehicle. Defendant admitted he was going to receive a monetary payment of approximately \$1,250.00 USD to smuggle the alien into the United States and take her to Indio, California.

On a separate videotaped interview, Material Witness declared she is a citizen of Mexico with no legal documents to enter the United States. Material Witness stated she was traveling to Indio, California. Material Witness indicated she was to pay a female smuggler \$2,700.00 USD upon her entry into the United States. Material Witness implicated Defendant, affirming he placed her in the compartment and advised her not to make any noise; hence, he assured her he would remove her from the compartment as soon as they crossed the border.

EXECUTED ON THIS 25th DAY OF April 2008 AT 5:00 PM.


123B

Fernando Cerdá / CBP Enforcement Officer

On the basis of the facts presented in the Probable Cause Statement consisting of (1) page, I find probable cause to believe that the defendant named therein committed the offense on April 25th 2008 in violation of Title 8, United States Code, Section 1324.


MAGISTRATE JUDGE

4-26-08 a 11:50 AM
DATE / TIME